

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2006-_____

VIOLATION OF STIPULATED JUDGMENT BY
MA-RU HOLDING COMPANY AND THE
BONZI SANITATION LANDFILL
STANISLAUS COUNTY

WHEREAS, a Stipulated Judgment for injunction, civil penalties, and relief (Case. No. 376882) has been filed with the Superior Court of the State of California for the County of Stanislaus regarding the Ma-Ru Holding Company, Inc. and Bonzi Sanitation Landfill (hereafter Discharger); and

WHEREAS, the Discharger's landfill is on a 128-acre parcel comprised of Assessor's Parcel Numbers 17-41-36 and 17-41-11, and is found in Section 12, T4S, R4E, MDB&M; and

WHEREAS, the Stipulated Judgment includes Exhibit A (Terms and Conditions) and Exhibit B (Terms and Conditions Summary and Stayed Penalties). The Discharger must comply with the Terms and Conditions listed therein or be subject to the specified stayed penalty; and

WHEREAS, Item No. 4 of Exhibit A states that "By 1 January 2006, the Discharger shall either resample and submit the results or submit a reevaluation of the previous analysis for the five-year 40 CFR Part 258 Appendix II sampling. The analysis shall report method detection limits and practical quantitation limits per the US EPA method listed in the 40 CFR Part 258 Appendix II or an approved method with lower limits. All peaks shall be reported, including those which cannot be quantified and/or specified. Included with the submitted data shall be a complete evaluation of the 5-year data as outlined in the August 1997 Standard Provisions and Reporting Requirements. The report shall address all concerns detailed in the 12 September 2005 Regional Board letter."; and

WHEREAS, as of 6 April 2006 the Discharger has not submitted the required report; and

WHEREAS, the Stipulated Judgment states that failure to comply with the Terms and Conditions shall result in the immediate payment of penalties. Exhibit B defines the penalty for failing to submit the report associated with five-year 40 CFR Part 258 Appendix II sampling by 1 January 2006 as \$50,000; and, therefore, be it

RESOLVED that the Regional Board has determined the Discharger has violated Item No. 4 of the Stipulated Judgment and therefore shall immediately remit \$50,000 in the form of a check made payable to the *State Water Resources Control Board Cleanup and Abatement Account*.

I, Pamela C. Creedon, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Valley Region on

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PAMELA C. CREEDON, Executive Officer